

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Jane Ellen Visvader, et al.

Examiner: Lei Yao

Serial No.: 10/799,797

Art Unit: 1642

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Docket: 17496

For: A METHOD OF DIAGNOSIS AND
TREATMENT AND AGENTS
USEFUL FOR SAME

Dated: April 14, 2009

Confirmation No.: 8972

Commissioner for Patents
P. O. Box 1450
Alexandria, VA 22313-1450

INFORMATION DISCLOSURE STATEMENT

Sir:

In accordance with 37 C.F.R §§1.97 and 1.98, it is requested that the following references, which are listed on the attached Form PTO-1449, be made of record in the above-identified case.

CERTIFICATE OF ELECTRONIC FILING

I hereby certify that this correspondence is being deposited with the United States Patent & Trademark Office via Electronic Filing through the United States Patent and Trademark Office e-business website.

Dated: April 14, 2009


Xiaochun Zhu

1. Communication stating Notice of Reasons for Rejection dated September 10, 2008 Re: Japanese Patent Application No. 2003-527424;
2. Communication Pursuant to Article 94(3) EPC dated October 13, 2008 from the European Patent Office Re: European Patent Application No. 02753953.5;
3. International Publication No. WO 01/38878 A2, published May 31, 2001; and
4. Visvader et al., "The LIM-domain binding protein Ldb1 and its partner LM02 act as negative regulators of erythroid differentiation", *Proc. Natl. Acad. Sci. USA* 94: 13707-13712 (1997).

Applicants are submitting copies of Reference Nos. 1-4 as required by 37 C.F.R. §1.98(a)(2)(i) and (ii).

It is further respectfully submitted that the Notice of Reasons for Rejection Communication dated September 10, 2008 (listed as Reference no. 1 above) has cited two citations: WO 01/38878 is listed above as Reference no. 3; and J. Racevskis et al. (1999) was previously submitted with Applicants Information Disclosure Statement dated May 2, 2007, therefore a copy is not provided.

Reference no. 4 was cited in the Communication Pursuant to Article 94(3) EPC dated October 13, 2008.

In compliance with the requirements of 37 C.F.R. §1.98(a)(3), as a concise statement of relevance, the undersigned attorney of record submits an Official Action by a foreign examiner in which a reference was cited. The relevance to the pending U.S. patent application is that the Office Action issued in a foreign patent application on the same subject matter. However, no independent analysis of the Office Action, the accuracy of the statement of the foreign examiner or the claims of the foreign application under the laws of that country or the

United States relative to the subject matter claimed in the present application has been made; the present understanding of the contents thereof by the undersigned being based on the foreign examiner's comments submitted herewith.

Inasmuch as this Information Disclosure Statement is being submitted in accordance with the schedule set out in 37 C.F.R. § 1.97(c), the Commissioner is hereby authorized to charge the fee in the amount of \$180.00 associated with this communication or credit any overpayment to Deposit Account No. 19-1013/SSMP.

Respectfully submitted,



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